Justice System Appropriations Bill House File 2458

As amended by H-8276 (Senate amendment)

Last Action:

Senate Floor

April 22, 2016

An Act relating to appropriations to the justice system.

Fiscal Services Division
Legislative Services Agency

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available online at: https://www.legis.iowa.gov/publications/information/appropriationBillAnalysis LSA Contacts: Laura Book (515-725-0509) and Alice Wisner (515-281-6764)

FUNDING SUMMARY

FY 2017: This budget includes a total of \$566.5 million from the General Fund for FY 2017 to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, Human Rights, Public Safety, Homeland Security and Emergency Management, the Iowa Law Enforcement Academy (ILEA), Board of Parole, and Iowa Civil Rights Commission. This is an increase of \$5.2 million compared to the estimated FY 2016.

This Senate appropriates a total of \$13.2 million from other funds for FY 2017, reflecting a decrease of \$5.1 million compared to the estimated FY 2016 and an increase of \$244,000 compared to House action.

This document reflects changes made by the Senate. For the full text of HF 2458 as passed by the House (pink copy) see: https://www.legis.iowa.gov/docs/publications/NOBA/782859.pdf

NEW PROGRAMS, SERVICES, OR ACTIVITIES

Directs the DPS to use up to \$200,000 of vehicle depreciation expense to fund 2.0 FTE positions for an Office to Combat Human Trafficking.

Page 2, Line 11

MAJOR INCREASES/DECREASES/TRANSFERS OF EXISTING PROGRAMS

Appropriates \$300,000 from the Consumer Education and Litigation Fund to the Department of Justice for FY 2017 for farm mediation services.

Page 1, Line 3

PG LN GA:86 H8276 Explanation

H8276 Senate Amendment to 1 Amend House File 2458, as amended, passed, and 1 2 reprinted by the House, as follows: 3 #1. Page 3, after line 21 by inserting: CODE: Appropriates \$300,000 from the Consumer Education and 4 #___. CONSUMER EDUCATION AND LITIGATION —— Litigation Fund to the Department of Justice for FY 2017 for farm 5 FARM MEDIATION. Notwithstanding section 714.16C, mediation services. 6 there is appropriated from the consumer education and 7 litigation fund to the department of justice for the DETAIL: Iowa code section 13.13 requires the Attorney General to 8 fiscal year beginning July 1, 2016, and ending June 30, contract with a nonprofit organization to provide farm mediation 9 2017, the following amount, or so much thereof as is services. Currently, the Attorney General contracts with Iowa Mediation 1 10 necessary, to be used for the purposes designated: Services to provide farm mediation services for the state. For farm mediation services as specified in section 1 12 13.13, subsection 2: 1 13 300,000 \$ 1 14 #2. Page 8, by striking lines 31 through 33 and Specifies it is the intent of the General Assembly that the First CBC District Department maintain the Drug Court. 1 15 inserting: It is the intent of the general assembly that the 1 17 first judicial district department of correctional 1 18 services maintain the drug courts operated by the 1 19 district department. 1 20 #3. Page 9, by striking lines 3 through 6 and Specifies it is the intent of the General Assembly that the Second CBC District Department maintain the Drug Court. 1 21 inserting: It is the intent of the general assembly that the 1 22 1 23 second judicial district department of correctional 1 24 services establish and maintain two drug courts to be 1 25 operated by the district department. 1 26 #4. Page 9, by striking lines 20 through 22 and Specifies it is the intent of the General Assembly that the Fifth CBC 1 27 inserting: District Department maintain the Drug Court. It is the intent of the general assembly that the 1 29 fifth judicial district department of correctional 1 30 services maintain the drug court operated by the 1 31 district department. 1 32 #5. Page 9, by striking lines 27 through 29 and Specifies it is the intent of the General Assembly that the Sixth CBC 1 33 inserting: District Department maintain the Drug Court. It is the intent of the general assembly that the 1 35 sixth judicial district department of correctional 1 services maintain the drug court operated by the 2 district department. 3 #6. By striking page 9, line 34, through page 10, Specifies it is the intent of the General Assembly that the Seventh 4 line 1, and inserting: CBC District Department maintain the Drug Court. It is the intent of the general assembly that the

6 seventh judicial district department of correctional

PG LN GA:86 H8276 Explanation

- 2 7 services maintain the drug court operated by the
- 2 8 district department.
- 2 9 #7. Page 18, line 16, by striking 9,528,227 and
- 2 10 inserting <u>9,472,060</u>

- 2 11 #8. Page 22, after line 31 by inserting:
- 2 12 # . HUMAN TRAFFICKING. Notwithstanding
- 2 13 section 8A.365, for the fiscal year beginning July
- 2 14 1, 2016, and ending June 30, 2017, the department of
- 2 15 public safety shall not be obligated to pay up to
- 2 16 \$200,000 of the depreciation expense otherwise required
- 2 17 by section 8A.365 in order to fund the staffing
- 2 18 of the office to combat human trafficking, and the
- 2 19 moneys generated from not paying the depreciation
- 2 20 expense shall be used to add 2.00 full-time equivalent
- 2 21 positions to staff the office to combat human
- 2 22 trafficking established in section 80.45 as enacted by
- 2 23 2016 Iowa Acts, Senate File 2191.
- 2 24 # . SPECIAL AGENTS.
- 2 25 1. Notwithstanding section 99F.10, subsection 4,
- 2 26 one special agent, previously designated a gaming
- 2 27 enforcement officer, shall not be terminated, except
- 2 28 for cause, at a facility licensed under chapter 99F
- 2 29 located in a county with a population of between
- 2 30 21,100 and 22,000 as determined by the 2010 federal
- 2 31 decennial census. The special agent shall remain
- 2 32 employed at such facility as a special agent in the
- 2 33 same job classification until the special agent leaves
- 2 34 that special agent position, retires, or otherwise
- 2 35 leaves employment. After the special agent leaves that
- 3 1 special agent position, retires, or otherwise leaves
- 3 2 employment, the special agent full-time equivalent
- 3 3 position shall be eliminated and shall not be filled.
- 3 4 2. Notwithstanding section 99F.10, subsection 4,
- 3 5 and for purposes of determining the amount of license
- 3 6 fees and regulatory fees charged pursuant to section

Gaming Enforcement Revolving Fund appropriation to the DPS for direct and indirect support costs for DCI agents and officers for gaming enforcement.

DETAIL: This is a decrease of \$1,370,000 compared to FY 2016. This decrease is a result of a requirement authorized in SF 447 (FY 2014 Justice System Appropriations) that eliminates Gaming Enforcement Officer positions and maintains Special Agent II FTE positions at gaming establishments. It also reflects the retention of 1.0 Special Agent I at one gambling facility.

CODE: Directs the DPS to use up to \$200,000 of vehicle depreciation expense to fund 2.00 FTE positions for an Office to Combat Human Trafficking.

DETAIL: The two FTE positions will include a Special Agent 2 and one Criminal Intelligence Senior Analyst. For FY 2017, salary and benefit costs are estimated to be \$144,000, and support costs for the two positions are estimated to be \$49,000.

CODE: Allows a special agent at a gambling boat, structure, or racetrack located in a county with a population more than 21,100 and less than 22,000 to remain employed as a a special agent in the same job classification until they voluntarily leave that employment. When that occurs, the special agent FTE position will be eliminated and not filled.

CODE: Directs the State Racing and Gaming Commission to include the salary and other support costs of a special agent qualifying under subsection 1 when determining licensing and regulatory fees. This will PG LN GA:86 H8276 Explanation

- 3 7 99F.10, subsection 4, the state racing and gaming
- 3 8 commission shall include the cost of the salary of a
- 3 9 special agent who qualifies under subsection 1 plus any
- 3 10 direct and indirect support costs of such an agent,
- 3 11 until the special agent leaves that special agent
- 3 12 position, retires, or otherwise leaves employment.

continue until the special agent voluntarily leaves that employment.

Summary Data

General Fund

	Actual FY 2015	Estimated FY 2016	Senate Action FY 2017	House Action FY 2017	House Action vs Senate Action	Page and Line #
	(1)	(2)	(4)	(5)	(6)	(7)
Justice System	\$ 556,876,308	\$ 561,264,652	\$ 566,457,700	\$ 566,457,700	\$ 0	
Grand Total	\$ 556,876,308	\$ 561,264,652	\$ 566,457,700	\$ 566,457,700	\$ 0	

Justice System General Fund

	Actual FY 2015 (1)	Estimated FY 2016 (2)	Senate Action FY 2017 (4)	House Action FY 2017 (5)	se Action vs nate Action (6)	Page and Line # (7)
Justice, Department of						
Justice, Dept. of General Office AG Victim Assistance Grants Legal Services Poverty Grants	\$ 7,989,905 6,734,400 2,400,000	\$ 7,989,905 6,734,400 2,400,000	\$ 7,989,905 6,734,400 2,400,000	\$ 7,989,905 6,734,400 2,400,000	\$ 0 0 0	
Total Justice, Department of	\$ 17,124,305	\$ 17,124,305	\$ 17,124,305	\$ 17,124,305	\$ 0	
Civil Rights Commission Civil Rights Commission						
Civil Rights Commission	\$ 1,169,540	\$ 1,169,540	\$ 1,169,540	\$ 1,169,540	\$ 0	
Total Civil Rights Commission	\$ 1,169,540	\$ 1,169,540	\$ 1,169,540	\$ 1,169,540	\$ 0	
Corrections, Dept. of						
Central Office Corrections Administration County Confinement Federal Prisoners/Contractual Corrections Education lowa Corrections Offender Network	\$ 5,270,010 1,075,092 484,411 2,608,109 2,000,000	\$ 5,270,010 1,075,092 484,411 2,608,109 2,000,000	\$ 5,270,010 1,075,092 484,411 2,608,109 2,000,000	\$ 5,270,010 1,075,092 484,411 2,608,109 2,000,000	\$ 0 0 0 0	
Mental Health/Substance Abuse DOC - Department Wide Duties State Cases Court Costs Total Central Office	\$ 22,319 0 0 11,459,941	\$ 22,319 0 59,733 11,519,674	\$ 22,319 3,407,808 10,000 14,877,749	\$ 22,319 3,407,808 10,000 14,877,749	\$ 0 0 0 0	
Fort Madison Ft. Madison Institution	\$ 43,021,602	\$ 43,771,602	\$ 43,771,602	\$ 43,771,602	\$ 0	
Anamosa Anamosa Institution	\$ 33,668,253	\$ 33,668,253	\$ 33,668,253	\$ 33,668,253	\$ 0	
Oakdale Oakdale Institution	\$ 59,408,092	\$ 60,158,092	\$ 60,158,092	\$ 60,158,092	\$ 0	
Newton Newton Institution	\$ 27,572,108	\$ 27,572,108	\$ 27,974,048	\$ 27,974,048	\$ 0	
Mt Pleasant Mt. Pleasant Inst.	\$ 25,360,135	\$ 25,360,135	\$ 24,958,195	\$ 24,958,195	\$ 0	

Justice System General Fund

		Actual FY 2015		Estimated FY 2016		Senate Action FY 2017		House Action FY 2017		louse Action vs Senate Action	Page and Line #
		(1)		(2)	_	(4)		(5)		(6)	(7)
Rockwell City Rockwell City Institution	\$	9,836,353	\$	9,836,353	\$	9,836,353	\$	9,836,353	\$	0	
Clarinda Clarinda Institution	\$	25,933,430	\$	25,933,430	\$	25,933,430	\$	25,933,430	\$	0	
Mitchellville Mitchellville Institution	\$	22,045,970	\$	22,645,970	\$	22,645,970	\$	22,645,970	\$	0	
Fort Dodge Ft. Dodge Institution	\$	30,097,648	\$	30,097,648	\$	30,097,648	\$	30,097,648	\$	0	
CBC District 1 CBC District I	\$	14,753,977	\$	14,787,977	\$	14,787,977	\$	14,787,977	\$	0	
CBC District 2 CBC District II	\$	11,500,661	\$	11,500,661	\$	11,500,661	\$	11,500,661	\$	0	
CBC District 3 CBC District III	\$	7,241,257	\$	7,241,257	\$	7,241,257	\$	7,241,257	\$	0	
CBC District 4 CBC District IV	\$	5,608,005	\$	5,638,005	\$	5,638,005	\$	5,638,005	\$	0	
CBC District 5 CBC District V	\$	20,304,616	\$	21,078,393	\$	21,078,393	\$	21,078,393	\$	0	
CBC District 6 CBC District VI	\$	14,833,623	\$	14,863,623	\$		\$	14,863,623		0	
CBC District 7 CBC District VII	\$	7,856,873	\$	7,856,873	\$		\$	7,856,873		0	
CBC District 8 CBC District VIII	\$	8,133,194	\$	8,167,194	\$	8,167,194	\$	8,167,194	\$	0	
Total Corrections, Dept. of	\$	378,635,738	\$	381,697,248	\$	385,055,323	\$	385,055,323	\$	0	
Human Rights, Dept. of											
Human Rights, Department of	Φ.	1 2/0 125	Φ.	1 0/0 105	•	1 2/0 425	Φ.	1 0/0 105	•	2	
Criminal & Juvenile Justice	\$	1,260,105	\$	1,260,105	\$	1,260,105	\$	1,260,105	\$	0	
Total Human Rights, Dept. of	\$	1,260,105	\$	1,260,105	\$	1,260,105	\$	1,260,105	\$	0	

Justice System

General Fund

		Actual FY 2015 (1)	 Estimated FY 2016 (2)	Senate Action FY 2017 (4)	 House Action FY 2017 (5)	se Action vs late Action (6)	Page and Line # (7)
Inspections & Appeals, Dept. of							
Public Defender Public Defender Indigent Defense Appropriation	\$	25,882,243 29,901,929	\$ 26,032,243 29,751,929	\$ 26,182,243 29,601,929	\$ 26,182,243 29,601,929	\$ 0	
Total Inspections & Appeals, Dept. of	\$	55,784,172	\$ 55,784,172	\$ 55,784,172	\$ 55,784,172	\$ 0	
Iowa Law Enforcement Academy Iowa Law Enforcement Academy Law Enforcement Academy	\$	1,003,214	\$ 1,003,214	\$ 1,003,214	\$ 1,003,214	\$ 0	
Total Iowa Law Enforcement Academy	\$	1,003,214	\$ 1,003,214	\$ 1,003,214	\$ 1,003,214	\$ 0	
Parole, Board of Parole Board Parole Board	\$	1,204,583	\$ 1,204,583	\$ 1,204,583	\$ 1,204,583	\$ 0	
Total Parole, Board of	\$	1,204,583	\$ 1,204,583	\$ 1,204,583	\$ 1,204,583	\$ 0	
Public Defense, Dept. of Public Defense, Dept. of Public Defense, Department of	<u>*</u>	6,554,478	\$ 6,554,478	\$ 6,554,478	\$ 6,554,478	\$ 0	
Total Public Defense, Dept. of	\$	6,554,478	\$ 6,554,478	\$ 6,554,478	\$ 6,554,478	\$ 0	

Justice System General Fund

	Actual FY 2015 (1)	 Estimated FY 2016 (2)	 Senate Action FY 2017 (4)	 House Action FY 2017 (5)	ouse Action vs Senate Action (6)	Page and Line # (7)
Public Safety, Department of						
Public Safety, Dept. of						
Public Safety Administration	\$ 4,183,349	\$ 4,226,131	\$ 4,226,131	\$ 4,226,131	\$ 0	
Public Safety DCI	13,625,414	13,796,544	13,796,544	13,796,544	0	
DCI - Crime Lab Equipment/Training	302,345	302,345	302,345	302,345	0	
Narcotics Enforcement	6,919,855	7,391,039	7,391,039	7,391,039	0	
Public Safety Undercover Funds	109,042	109,042	109,042	109,042	0	
DPS Fire Marshal	4,590,556	4,651,010	4,651,010	4,651,010	0	
Iowa State Patrol	60,920,291	61,501,575	61,501,575	61,501,575	0	
DPS/SPOC Sick Leave Payout	279,517	279,517	279,517	279,517	0	
Fire Fighter Training	825,520	825,520	825,520	825,520	0	
Public Safety - Department Wide Duties	0	0	1,834,973	1,834,973	0	
Interoperable Communications Sys Board	 154,661	154,661	 154,661	 154,661	 0	
Total Public Safety, Department of	\$ 91,910,550	\$ 93,237,384	\$ 95,072,357	\$ 95,072,357	\$ 0	
Homeland Security and Emergency Mgmt						
Homeland Security and Emergency Management						
Homeland Security & Emer. Mgmt.	\$ 2,229,623	\$ 2,229,623	\$ 2,229,623	\$ 2,229,623	\$ 0	
Total Homeland Security and Emergency Mgmt	\$ 2,229,623	\$ 2,229,623	\$ 2,229,623	\$ 2,229,623	\$ 0	
Total Justice System	\$ 556,876,308	\$ 561,264,652	\$ 566,457,700	\$ 566,457,700	\$ 0	

Summary Data Other Funds

	Actual FY 2015	Estimated FY 2016	Senate Action FY 2017	House Action FY 2017	House Action vs Senate Action	Page and Line #
	(1)	(2)	(4)	(5)	(6)	(7)
Justice System	\$ 14,035,596	\$ 18,285,596	\$ 13,159,648	\$ 12,915,815	\$ -243,833	
Grand Total	\$ 14,035,596	\$ 18,285,596	\$ 13,159,648	\$ 12,915,815	\$ -243,833	

Justice System Other Funds

	Actual FY 2015		Estimated FY 2016		Senate Action FY 2017		House Action FY 2017		House Action vs Senate Action	Page and Line #
	 (1)	_	(2)	_	(4)	_	(5)	_	(6)	(7)
Justice, Department of										
Justice, Dept. of Farm Mediation Services - CEF	\$ 0	\$	0	\$	300,000	\$	0	\$	-300,000	PG 1 LN 3
Consumer Advocate Consumer Advocate - CMRF	\$ 3,137,588	\$	3,137,588	\$	3,137,588	\$	3,137,588	\$	0	
Total Justice, Department of	\$ 3,137,588	\$	3,137,588	\$	3,437,588	\$	3,137,588	\$	-300,000	
Public Safety, Department of										
Public Safety, Dept. of DPS Gaming Enforcement - GEF	\$ 10,898,008	\$	10,898,008	\$	9,472,060	\$	9,528,227	\$	56,167	
Total Public Safety, Department of	\$ 10,898,008	\$	10,898,008	\$	9,472,060	\$	9,528,227	\$	56,167	
Homeland Security and Emergency Mgmt										
Homeland Security and Emergency Management E911 Emerg Comm Admin-E911 Surcharge Radio Comm Platform Lease-E911 Surcharge	\$ 0	\$	250,000 4,000,000	\$	250,000 0	\$	250,000 0	\$	0	
Total Homeland Security and Emergency Mgmt	\$ 0	\$	4,250,000	\$	250,000	\$	250,000	\$	0	
Total Justice System	\$ 14,035,596	\$	18,285,596	\$	13,159,648	\$	12,915,815	\$	-243,833	

Summary Data FTE Positions

	Actual FY 2015 (1)	Estimated FY 2016	Senate Action FY 2017 (4)	House Action FY 2017	House Action vs Senate Action (6)	Page and Line #
Justice System	5,475.93	5,634.56	5,643.95	5,643.95	0.00	(1)
Grand Total	5,475.93	5,634.56	5,643.95	5,643.95	0.00	

Justice System FTE Positions

	Actual FY 2015 (1)	Estimated FY 2016 (2)	Senate Action FY 2017 (4)	House Action FY 2017 (5)	House Action vs Senate Action (6)	Page and Line # (7)
Justice, Department of						
Justice, Dept. of General Office AG Victim Compensation Fund Total Justice, Dept. of	202.20 23.34 225.54	214.00 24.00 238.00	215.00 29.00 244.00	215.00 29.00 244.00	0.00 0.00 0.00	
Consumer Advocate Consumer Advocate - CMRF	16.66	22.00	22.00	22.00	0.00	
Total Justice, Department of	242.21	260.00	266.00	266.00	0.00	
Civil Rights Commission						
Civil Rights Commission Civil Rights Commission	27.56	30.60	28.00	28.00	0.00	
Total Civil Rights Commission	27.56	30.60	28.00	28.00	0.00	
Corrections, Dept. of						
Fort Madison Ft. Madison Institution	402.33	433.50	433.50	433.50	0.00	
Anamosa Anamosa Institution	307.75	328.00	328.00	328.00	0.00	
Oakdale Oakdale Institution	512.37	522.00	522.00	522.00	0.00	
Newton Newton Institution	256.49	266.00	271.00	271.00	0.00	
Mt Pleasant Mt. Pleasant Inst.	241.41	257.72	252.72	252.72	0.00	
Rockwell City Rockwell City Institution	92.83	93.00	93.00	93.00	0.00	
Clarinda Clarinda Institution	253.20	263.70	263.70	263.70	0.00	
Mitchellville Mitchellville Institution	222.95	236.50	236.50	236.50	0.00	

Justice System FTE Positions

	Actual FY 2015 (1)	Estimated FY 2016 (2)	Senate Action FY 2017 (4)	House Action FY 2017 (5)	House Action vs Senate Action (6)	Page and Line # (7)
Fort Dodge	(1)	(2)	(4)	(5)	(6)	(1)
Fort Dodge Ft. Dodge Institution	284.49	288.00	288.00	288.00	0.00	
Central Office Corrections Administration	37.93	43.00	43.00	43.00	0.00	
CBC District 1 CBC District I	193.63	189.38	189.38	189.38	0.00	
CBC District 2 CBC District II	139.50	134.25	134.25	134.25	0.00	
CBC District 3 CBC District III	86.59	86.59	86.59	86.59	0.00	
CBC District 4 CBC District IV	65.00	64.00	64.00	64.00	0.00	
CBC District 5 CBC District V	273.45	273.45	273.45	273.45	0.00	
CBC District 6 CBC District VI	185.06	183.91	183.91	183.91	0.00	
CBC District 7 CBC District VII	101.45	101.00	101.00	101.00	0.00	
CBC District 8 CBC District VIII	98.10	98.10	98.10	98.10	0.00	
Total Corrections, Dept. of	3,754.53	3,862.10	3,862.10	3,862.10	0.00	
Inspections & Appeals, Dept. of						
Public Defender						
Public Defender	212.85	223.00	223.00	223.00	0.00	
Total Inspections & Appeals, Dept. of	212.85	223.00	223.00	223.00	0.00	
Iowa Law Enforcement Academy						
Iowa Law Enforcement Academy Law Enforcement Academy	22.39	24.00	25.00	25.00	0.00	
Total Iowa Law Enforcement Academy	22.39	24.00	25.00	25.00	0.00	

Justice System FTE Positions

	Actual FY 2015 (1)	Estimated FY 2016 (2)	Senate Action FY 2017 (4)	House Action FY 2017 (5)	House Action vs Senate Action (6)	Page and Line # (7)
Parole, Board of						
Parole Board Parole Board	10.03	10.75	10.75	10.75	0.00	
Total Parole, Board of	10.03	10.75	10.75	10.75	0.00	
Public Defense, Dept. of						
Public Defense, Dept. of Public Defense, Department of	253.46	259.00	277.50	277.50	0.00	
Total Public Defense, Dept. of	253.46	259.00	277.50	277.50	0.00	
Public Safety, Department of						
Public Safety, Dept. of Public Safety Administration Public Safety DCI Narcotics Enforcement DPS Fire Marshal lowa State Patrol DPS Gaming Enforcement - GEF	34.81 140.08 61.87 46.71 480.05 86.00	37.00 159.00 66.50 53.00 511.40 92.00	38.00 162.00 66.50 53.00 512.00 72.00	38.00 162.00 66.50 53.00 512.00 72.00	0.00 0.00 0.00 0.00 0.00 0.00	
Total Public Safety, Department of	849.50	918.90	903.50	903.50	0.00	
Human Rights, Dept. of Human Rights, Department of Criminal & Juvenile Justice	9.97	10.01	12.15	12.15	0.00	
Total Human Rights, Dept. of	9.97	10.01	12.15	12.15	0.00	
Homeland Security and Emergency Mgmt Homeland Security and Emergency Management Homeland Security & Emer. Mgmt.	93.44	36.20	35.95	35.95	0.00	
Total Homeland Security and Emergency Mgmt	93.44	36.20	35.95	35.75	0.00	
Total Justice System	5,475.93	5,634.56	5,643.95	5,643.95	0.00	